

## RE: grant/FEMA questions

Powell, William <william.powell@fema.dhs.gov>

Fri 9/13/2019 4:17 PM

To: Brad McElhinny <Brad.McElhinny@wvradio.com>;

Cc: Stoneking, Daniel <Daniel.Stoneking@fema.dhs.gov>; DeMuro, Corey <Corey.DeMuro@fema.dhs.gov>;

Brad;

I was just informed that the deadline for additional information on the appeal is actually October 5, not October 30. Our apologies for the error. Have a great weekend.

Best,

Will Powell

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**From:** Powell, William

**Sent:** Friday, September 13, 2019 12:13 PM

**To:** Brad McElhinny <Brad.McElhinny@wvradio.com>

**Cc:** Stoneking, Daniel <Daniel.Stoneking@fema.dhs.gov>; DeMuro, Corey <Corey.DeMuro@fema.dhs.gov>

**Subject:** RE: grant/FEMA questions

Hi Brad;

Thanks again for reaching out, and for your patience. I apologize for taking so long to get back to you. Please attribute this information to a FEMA spokesperson.

- 1. *Based on the attached documents, it looks like FEMA is disallowing \$901,411 over the issue of documentation of subrecipient Emergency Operations Plans. Have I interpreted that correctly?***

Correct. This is an A-133 audit finding. *An A-133 Audit is conducted for organizations and government agencies that expend \$750,000 in federal funds during any one year known as a Single Audit whose regulations are set down in Circular A-133 by the U.S. Office of Management and Budget (OMB).* FEMA agreed with the A-133 auditor to disallow the costs, and West Virginia has appealed the finding. Grants has requested additional information from West Virginia to render a decision on the appeal. They have until October 30, 2019 to provide the additional information.

- 2. *What is the significance? If the state had to pay the money back, where would it come from?***

Please see above. If they had to re-pay, they may need to find it within their budget or go back to the subrecipients in question to recoup the funds.

- 3. *Is FEMA basically saying that West Virginia has been establishing requirements for mitigation grant subrecipients that the state is then not enforcing?***

This was an Emergency Management Preparedness Grant (EMPG). The requirement is on the recipient (West Virginia) to have an updated EOP. West Virginia chose to set the same standard to make it a requirement on its subrecipients. When the requirement was not enforced it was identified as a finding during their A-133 Audit.

***4. One of the documents I attached represents a West Virginia response, and I have asked DHSEM about it. Has FEMA then responded to that?***

Yes, Grants has requested additional information from the state to render a decision on the appeal. That information is due back to FEMA Oct 30, 2019.

***5. For the unfamiliar, like me, what is an Emergency Operations Plan, and why would documentation of having one be significant for a grant sub recipient?***

An Emergency Operations Plan is the recipient's plan to how it will respond to emergencies. An EOP is a document which outlines how the local/recipient will respond to an emergency. The EOP sets guidelines to manage a disaster in an effective, efficient, and timely manner. The EOP typically calls for the establishment of the Incident Command System and the development and activation of the Incident Action Plan. An emergency operations plan is activated on an as-needed basis and is designed to be used for all types of emergencies. According to CPG 101 Developing and Maintaining Emergency Plans v2, this EOP needs to be reviewed and updated at least every two years. Again, it was a requirement of the EMPG award that WV DSHEM have an updated EOP for the years in question (2014 and 2015). WV chose to make that a requirement of their sub-recipients. It was their internal procedures, not a FEMA requirement.

***6. If this issue remains in dispute, how and when would it be resolved?***

West Virginia had 10 days to appeal and did so. We are working through the appeal process. If the appeal is sustained, FEMA will go through the collection process which has another appeal process. If the appeal overturns our decision, the state will not have to repay the funds back to FEMA.

Thank you.

Best,

Will Powell

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**From:** Brad McElhinny <Brad.McElhinny@wvradio.com>  
**Sent:** Wednesday, September 11, 2019 1:04 PM  
**To:** Stoneking, Daniel <Daniel.Stoneking@fema.dhs.gov>  
**Cc:** Powell, William <william.powell@fema.dhs.gov>  
**Subject:** Fw: grant/FEMA questions

Hello. There was some good news this week here in West Virginia about the lifting of mandatory manual reimbursement. I was wondering, though, about some issues that seem unresolved on related matters.

Based on the attached documents, it looks like FEMA is disallowing \$901,411 over the issue of documentation of subrecipient Emergency Operations Plans.

Have I interpreted that correctly?

What is the significance? If the state had to pay the money back, where would it come from?

Is FEMA basically saying that West Virginia has been establishing requirements for mitigation grant subrecipients that the state is then not enforcing?

One of the documents I attached represents a West Virginia response, and I have asked DHSEM about it. Has FEMA then responded to that?

For the unfamiliar, like me, what is an Emergency Operations Plan, and why would documentation of having one be significant for a grant subrecipient?

If this issue remains in dispute, how and when would it be resolved?

Thank you, and as always I appreciate your consideration of my questions.

Brad McElhinny

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